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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------|------------------|
| 09/976,504  | 10/12/2001  | Bidyut Parruck       | AZA-003-6D/2001-P009 | 3111             |
| 293   | 7590        | 09/05/2006           | EXAMINER             |                  |
| Ralph A. Dowell of DOWELL & DOWELL P.C.<br>2111 Eisenhower Ave<br>Suite 406<br>Alexandria, VA 22314 |             |                      | DUONG, DUC T         |                  |
|   |             |                      | ART UNIT             | PAPER NUMBER     |
|   |             |                      | 2616                 |                  |

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/976,504

Applicant(s)

PARRUCK ET AL.

Examiner

Duc T. Duong

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-28 and 45-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-28 and 45-58 is/are allowed.
- 6) ☒ Claim(s) 59 and 60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/10/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's argument, see pages 3-5, filed February 6, 2006, with respect to claim 25 have been fully considered and are persuasive. The rejection of the claim has been withdrawn.
2. The indicated allowability of claims 59-60 are withdrawn in view of the newly discovered reference(s) to Sasagawa (US Patent 5,943,337) in view of Glover et al (US Patent 5,379,297). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 59 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasagawa (US Patent 5,943,337) in view of Glover et al (US Patent 5,379,297).

Regarding to claim 59, Sasagawa discloses a system (fig. 4), comprising an aggregation integrated circuit 14 (col. 4 lines 65-67 and col. 5 lines 1-4), and means 15, coupled to the aggregation integrated circuit 14, for receiving a flow of cells, the means 15 also being for processing the cells on a first data path integrated circuit #1 and on a second data path integrated circuit #2, some of the cells being processed on the first data path integrated circuit #1, others of the cells being processed on the second data

path integrated circuit #2, each of the first and second data path integrated circuits having segmentation circuitry and reassembly circuitry (col. 5 lines 5-14).

Sasagawa fails to teach the cells being processed in the same particular order in which the cells were received.

However, Glover discloses a multi-channel segmentation and reassembly processor for asynchronous transfer mode, wherein cells are processed in the same order in which the cells were received (fig. 15 col. 52 line 36-43).

Thus, it would have been obvious to a person of ordinary skill in the art, at the time of the invention, to employ such processing of cells in an order as taught by Glover in Sasagawa's system to reduce the probability of error or incorrect arrangement of cells.

Regarding to claim 60, Sasagawa discloses the means comprises the first data path integrated circuit #1, the second data path integrated circuit #2, a distribution integrated circuit 14, and a control integrated circuit 12, the control integrated circuit 12 being coupled to the first and second data path integrated circuits (fig. 4 col. 4 lines 47-50), the distribution integrated circuit 14 receiving the packets and distributing the packets to the first and second data path integrated circuits (fig. 4 col. 5 lines 5-14).

***Allowable Subject Matter***

5. Claims 25-28 and 45-58 are allowed.

Art Unit: 2616

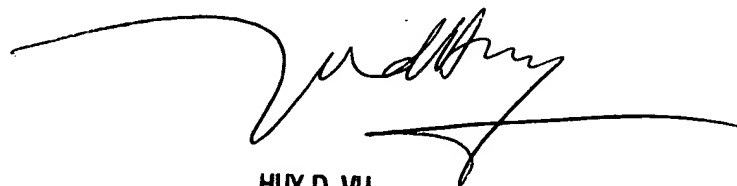
**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DD



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